

Catharine A. Schroyer to Malinda Dusing dated September 4th, 1869 and recorded in Liber C.M.No.4, folio 428, one of the land records of Frederick County, a certified copy of which deed is filed and marked "Exhibit A" to the bill.

Third. That said Malinda Dusing aforesaid died seized and possessed of a second parcel of land situated in Frederick County, Maryland contiguous to the aforesaid tract of land, containing Eighteen and one quarter of acres of land more or less, it being the same real estate conveyed to John Gladhill and wife to Jacob Dusing by deed dated September 27th, 1853 and recorded in Liber E.S.No.4, folio 482, one of the land records of Frederick County, and being the same real estate conveyed to Simon C. Simmons by Joseph M. Ebberts, Sheriff by deed dated July 17th, 1861 and duly recorded in Liber B.G.F. No.7, folio 38, one of the land records of said County, a certified copy of which deed is herewith filed marked "Exhibit B".

Fourth. That said second parcel of land mentioned in paragraph two of the Bill of Complaint was owned and possessed by the said Malinda Dusing at the time of her death, but no deed conveying said real estate to the said Malinda Dusing can be found among the land records of Frederick County, but the Complainants aver that the said deed is in the possession of one of the defendants to said cause and that said deed is wrongfully withheld from the Complainants.

Fifth. That said Malinda Dusing died intestate on the ____ day of ____ 1872, leaving surviving her a husband, Jacob Dusing, now deceased and the following children as her heirs at law namely, Sopheania Stockett an adult daughter whose husband's name is Allen Stockett, Nannie Ahalt, an adult daughter whose husband's name is George Ahalt, Sadie C. Roe whose husband's name is Harvey Roe, William Powell the husband of a daughter named Rettie Row deceased, Jessie Dusing an adult son whose wife's name is Callie Dusing and Jacob M. Dusing, an adult son whose wife's name is Hattie Dusing.

Sixth. That the above named Children and heirs at law of the said Malinda Dusing are the owners of the properties described in Exhibits A and B and are unable to agree among themselves as to a disposition of the same.

Seventh. That the said Real Estate is not susceptible of division among the above mentioned owners thereof, without great loss and damage, it is deteriorating in value and it would be to the best interest and advantage of all the parties to have the same sold by a trustee, and the proceeds arising therefrom, after the payment of all debts, charges and expenses attending the sale of said real estate be divided among them according to their respective interests.

The Bill then prays for a decree of the sale of the said real estate and after the payment of all debts, costs, charges and expenses attending said sale the proceeds be divided among the aforementioned heirs at law. The Bill further prays for such other and further relief as the nature and Equity of the case may require, for a summons directed to the resident defendant Sopheania Stockett, Nannie Ahalt and George Ahalt, her husband and William Powell commanding them to and appear in the Circuit Court for Frederick County, on some certain day to be named therein, to answer the premises and abide by and perform such decree as may be passed in the premises, and for an Order of Publication against the non-resident defendant Allen Stockett, Sadie C. Roe and Harvey Roe, all of the State of New York, notifying them of the object and substance of the Bill and Commanding them to be and appear in said Circuit Court on some certain day to be named therein to answer said Bill and abide and perform such decree as may be passed in the premises.

It is thereupon this 20th day of May, A.D. 1915 by the Circuit Court for Frederick County, sitting as a Court of Equity, and by the authority thereof ordered and adjudged that Complainants by causing a copy of this order to be inserted in some newspaper published in said Frederick County, once a week for four successive weeks, prior to the 18th day of June A.D. 1915 to give notice to the said Allen Stockett, Sadie C. Roe and Harvey Roe, non residents defendants, of the object and substance of the Bill and warning them to be and appear in this Court on or before the 5th day of July A.D. 1915, to answer said Bill and abide by and perform such decree as may be passed in the premises.

William M. Storm,
Reno S. Harp Solicitors.

Harry W. Bowers.
Clerk of the Circuit Court for Frederick County.

Filed May 20th, 1915.